

JOURNAL OF THE SENATE

Wednesday, May 3, 1939

The Senate convened at 1:00 o'clock P. M., pursuant to adjournment on Tuesday, May 2, 1939.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 2, 1939, was corrected as follows:

On page 5, column 1, line 5 from the bottom of the page strike out the figures "255" and insert in lieu thereof the figures "225."

On page 7, column 1, line 25 from the bottom of the page strike out line 25 and insert in lieu thereof the following: "was placed on the Calendar of Bills, pending roll call."

And as corrected was approved.

Senator Adams moved that a committee be appointed to escort Honorable D. B. Johnson, County Judge of Hamilton County, to a seat on the rostrum.

Which was agreed to.

The President appointed Senator Adams, Hodges and Lewis as the committee.

Senator Kelly (16th) moved that a committee be appointed to escort Honorable A. J. Higginbotham, Sheriff of Nassau County, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Kelly (16th), Kendrick and Whitaker as the committee.

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Bill No. 265:

An Act to provide for a statewide retirement system for teachers; to provide for its management and regulation; to define its membership and benefits payable thereunder; to provide for contributions by the members of the retirement system and by the State of Florida; to appropriate money from the General Revenue fund of the State for the payment of part of the costs of maintenance and all of the costs of administering the system and to regulate the use of these monies; to provide that all benefits payable under the system shall be exempt from all taxes and from execution and attachment and other legal process and shall be non-assignable except as provided therein; and to provide penalties for violations of this Act.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

H. S. MCKENZIE,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bill contained in the above report, was thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Bill No. 270:

An Act creating a Department of Labor, providing for the personnel; providing for designation of the Secretary of Labor; defining the jurisdiction of said department; providing for certain records and reports, and repealing all laws in conflict.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

The bill contained in the above report, was thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading:

Senate Bill No. 146:

To amend Chapter 4379, Act of 1895, Laws of Florida, the same being Sections 4172, 4173, 4174, 4175, 4176 and 4177, of the Compiled General Laws of Florida, 1927, relating to attorneys.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

And Senate Bill No. 146, contained in the above report, was certified to the House of Representatives.

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading:

Senate Bill No. 144:

Providing for the reimbursement for lawful costs legally adjudged against and paid by any county in all lunacy proceedings and criminal prosecutions against State convicts imprisoned at the State Prison at Raiford and in all habeas corpus cases brought to test the legality of the imprisonment of State convicts imprisoned at the State Prison Farm at Raiford; providing the manner of making requisition for and the refund thereof from the State Treasury.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

And Senate Bill No. 144, contained in the above report, was certified to the House of Representatives.

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading:

Senate Bill No. 122:

An Act providing a method whereby a person temporarily within the State of Florida may evidence and declare that he is not permanently removing to and establishing his domicile in the State of Florida.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

And Senate Bill No. 122, contained in the above report, was certified to the House of Representatives.

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading:

Senate Bill No. 40:

Amend Section 2935, Revised General Statutes of Florida, 1920 (being Section 4655, Compiled General Laws, 1927) relating to adverse possession under color of title by providing therein that the said land so occupied adversely shall be within

one year after the entry by such adverse owner returned for taxation and all taxes subsequently assessed against the same duly paid.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

And Senate Bill No. 40, contained in the above report, was certified to the House of Representatives.

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading:

Senate Bill No. 2:

An Act to require any railroad company or railroad corporation operating or doing business in the State of Florida to grant to any regular or part time employee who shall be elected or appointed to any Federal, State, County or Municipal office or position, a leave of absence for such period of time that such employee holds or occupies such office or position, without loss of, impairment or prejudice to the seniority rank of such employee, to provide for actions for damages by any such employee against such railroad company or railroad corporation for salaries or wages lost by refusal to reinstate such employee upon the termination of such service of Federal, State, County or Municipal office or position; and to provide penalties for the violation thereof.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

And Senate Bill No. 2, contained in the above report, was certified to the House of Representatives.

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading—

Senate Bill No. 95:

A bill to be entitled An Act to amend Section 2936, Revised General Statutes of Florida, 1920 (being Section 4656, Compiled General Laws of Florida, 1927) relating to Adverse possession without color of title by providing therein that the said land so occupied adversely shall be within one year after the entry by such adverse owner returned for taxation and all taxes subsequently assessed against the same duly paid.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

And Senate Bill No. 95, contained in the above report, was certified to the House of Representatives.

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading—

Senate Bill No. 68:

A bill to be entitled An Act defining and regulating the practice of professional engineering in Florida and defining engineer: providing for the registration of professional engineers; creating and establishing the "Florida State Board of Engineer Examiners" and providing for the appointment of members composing said board; defining the qualifications of the members of and the powers and duties of said Board. Providing for expenses of said Board and for the Organization and the holding of meetings and for the keeping of records of said Board; defining violations of this Act; providing procedure for determining violations and prescribing penalties therefor; defining exemptions from the provisions of this Act; providing in reference to engineers from other states; providing for branches of professional engineering and for classifications of professional engineers; providing for registration and examination fees and defining qualifications for registration; providing for the holding of examinations and the issuance of certificates of registration and for revoking certificates so issued; providing for appeal against the action of said Board; providing for receiving, accounting for, and disbursing monies by said Board; and repealing all laws or parts of laws in conflict with this Act.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

And Senate Bill No. 68, contained in the above report, was certified to the House of Representatives.

Senator Kelly, Chairman of the Committee on Judiciary A, reported that the Committee had carefully considered the following bill and recommends that the same do pass—

Senate Bill No. 188:

A bill to be entitled An Act to relating to the publication of official public notices and legal advertisements and the amounts to be charged therefor: amending Section 2944 of the Revised General Statutes of Florida of 1920, being the same as Section 3 of Chapter 3022, Laws of Florida, Acts of 1877, as amended by Section 1 of Chapter 12215, Laws of Florida, Acts of 1927, being the same as Section 4668 of the Compiled General Laws of Florida, 1927.

And Senate Bill No. 188, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Hodges, Chairman of the Committee on Public Utilities, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendments—

Senate Bill No. 96:

A bill to be entitled An Act, to be cited as the "Rural Electric Cooperative Act," to provide for the organization, operation and management of cooperative, non-profit, membership corporations referred to as "cooperatives," for the purpose of engaging in rural electrification by supply electric energy and promoting and extending the use thereof in rural areas; prescribing the powers of such cooperatives, the inclusion of certain words in the names thereof, the number and character of the incorporators, the contents and manner of execution of the articles of incorporation and by-laws therefor, the qualifications of members, the meetings of such members and the voting privileges thereof, the election of boards of trustees, the meetings, terms, quorum, powers and other matters relating thereto, provisions for voting districts, for the election of trustees and delegates, and provisions relating to the appointment and removal of officers and their powers and duties; prescribing the method of the amendment of the articles of incorporation of such cooperatives and for the consolidation, and merger thereof and the effect of such consolidation or merger; prescribing the method of conversion of existing corporations into such cooperatives; prescribing for the initiative of members by petition; prescribing the method of dissolution of such cooperatives; prescribing the method of filing articles thereof; prescribing for the disposition of the revenues of such cooperatives and for the distribution of patronage refunds; prescribing for the disposition of the property of such cooperatives under certain condition for the non-liability of members for the debts of such cooperatives, for the recordation of mortgages, deeds of trust and other instruments executed thereby, for waiver of notice required by this Act and for trustees, officers or members serving as notaries public; prescribing for the qualification of similar foreign corporations for the transaction of business in this State; prescribing certain filing fees; prescribing an annual license fee to be paid by such cooperatives and exempting them from excise taxes; providing for the exemption of such cooperatives from commission jurisdiction and from the provisions of the uniform sale of securities act; defining certain terms; prescribing for the liberal construction of this Act, the separability of its provisions and that the terms thereof shall be controlling and further prescribing the effective date thereof.

Which amendments are as follows:

No. 1. In Section 28 strike out the entire section.

No. 2. In Section 29 strike out the words "Section 29" and insert in lieu thereof the following: "Section 28," and number consecutively each successive section.

No. 3. In Section 3, sub-section "D" after the words, "of its members," insert the following: "provided, however, that no cooperative shall distribute or sell any electricity, or electric energy to any person residing within any town, city or area which person is receiving adequate central station service or who at the time of commencing such service, or offer to serve, by a cooperative, such person is receiving adequate central station service from any utility agency, privately or municipally owned, individual, partnership or corporation."

No. 4. In the Title, line 34, strike out the words: "Prescribing an annual license fee to be paid by such cooperatives and exempting them from excise taxes."

And Senate Bill No. 96, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendment—

Senate Bill No. 106:

A bill to be entitled An Act to open to young people the opportunity to obtain training that will equip them for profitable employment and citizenship; to set up, as a means to this end, a program of voluntary apprenticeship under approved apprentice agreements providing facilities for their training and guidance in the arts and crafts of industry and trade, with parallel instruction in related and supplementary education; to promote employment opportunities for young people under conditions providing adequate training and reasonable earnings; to relate the supply of skilled workers to employment demands; to establish standards for apprentice training; to establish an apprenticeship council and local and state joint apprenticeship committees to assist in effectuating the purposes of this Act; to provide for a director of apprenticeship within the industrial commission; to provide for reports to the legislature and to the public regarding the status of apprentice training in the state.

Which amendment is as follows:

No. 1. In typewritten bill strike out all of Section 11 and re-number remaining sections.

And Senate Bill No. 106, contained in the above report, together with Committee Amendment, thereto, was placed on the Calendar of Bills on second reading.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bills and recommends that the same do not pass—

Senate Bill No. 17:

A bill to be entitled An Act to regulate the employment of minors; to provide for minimum ages for certain employments; describing street trades; requiring employers where minors are employed to post and keep posted certain extracts of this Act and to keep certain records; providing for the determination of hazardous occupations and for the issuance of employment certificates and the administration of the provisions of this Act by the Florida Industrial Commission and for the issuance of rules and regulations in connection therewith; providing penalties for violations of this Act; and appropriating the sum of four thousand dollars (\$4,000.00) annually.

Senate Bill No. 148:

A bill to be entitled An Act to provide for the preparation and issuing by the State of Florida of campaign medals to the officers and men who enlisted from the State of Florida and served in the army, navy or marine corps of the United States during the war with Spain, the Philippine Insurrection or the China relief expedition, and making an appropriation therefor.

Senate Bill No. 196:

A bill to be entitled An Act providing a bonus of fifty thousand dollars to be paid by the State of Florida to the first person, persons, firm, company or corporation of firms or companies, who shall produce natural oil or gas from a well situated in the State of Florida, and providing an appropriation therefor.

Senate Bill No. 250:

A bill to be entitled An Act providing for the retirement on pay of all employees of the State Road Department and Board of Commissioners of State Institutions, division of convicts, providing the manner of such retirement, and making an appropriation therefor.

And Senate Bills Nos. 148, 196, and 250, contained in the above report, were laid on the table, and Senate Bill No. 17, contained in the above report, was placed on the Calendar of Bills on second reading at the request of Senator Whitaker.

Senator Beall, Chairman of the Committee on Labor and Industry, submitted the following report:

Your Committee on Labor and Industry, to whom was referred—

Senate Bill No. 17:

A bill to be entitled An Act to regulate the employment of

minors; to provide for minimum ages for certain employments; describing street trades; requiring employers where minors are employed to post and keep posted certain extracts of this Act and to keep certain records; providing for the determination of hazardous occupations and for the issuance of employment certificates and the administration of the provisions of this Act by the Florida Industrial Commission and for the issuance of rules and regulations in connection therewith; providing penalties for violations of this Act; and appropriating the sum of four thousand dollars (\$4,000.00) annually.

Have had the same under consideration, and recommend that the same do pass.

And Senate Bill No. 17, contained in the above report, was placed on the Calendar of Bills on second reading, being reported favorably by the Committee on Labor and Industry.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bills and recommends that the same do pass—

Senate Bill No. 503:

A bill to be entitled An Act making appropriation to be used as sponsor's contributions to grants of the Works Progress Administration for the construction of an auditorium on the campus of the Florida State College for Women.

Senate Bill No. 497:

A bill to be entitled An Act to amend Section 4 of Chapter 17474, Laws of Florida, Acts of 1935, entitled "An Act to provide educational opportunities at state expense for children of a deceased veteran of the military, naval, marine or nurses corps of the United States entering such service from the State of Florida; said veteran dying in service between the 6th day of April, 1917, and the 2nd day of July, 1921, or from injuries sustained or diseases contracted while in service, and for children of parents having been a bona fide resident of Florida for five years next preceding application for benefits under this Act and providing for rules, restrictions and limitations hereof; providing for the manner and application of sums appropriated and expended under this act and withdrawing of the benefits of this Act for such child or children; providing for the appropriation of monies and its application therefor in regards to benefit set forth under this Act," by providing for scholarship longer than four years in certain cases.

Senate Bill No. 530:

A bill to be entitled An Act authorizing and directing the State Motor Vehicle Commissioner to purchase and install a passenger elevator in the Martin Department Building, and making appropriation therefor.

And Senate Bills Nos. 503, 497 and 530, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Rose, Chairman of the Committee on Insurance, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendment:

Senate Bill No. 454:

A bill to be entitled An Act providing for limited surety companies, the rights, powers, privileges, duties, obligations and liabilities of such companies and authorizing such limited surety companies to become sureties upon any bonds in judicial proceeding, whether civil or criminal, and to become surety or guarantor upon bonds, obligations, contracts and agreements where the amount of such bond or other obligation shall not exceed five hundred (\$500.00) dollars; providing for the issuance and revocation of a certificate of authority and for the duties of certain State and County officers; providing for an adequate deposit of bonds or other securities with the State Treasurer and for licenses and taxes; providing penalties for violations of said Act.

Which amendment reads as follows:

No. 1. Add: "Section 10½. No limited surety company shall be at any time absolutely or contingently liable as surety or guarantor upon bonds or other obligations, in an aggregate sum greater than ten times the deposit of said company."

And Senate Bill No. 454, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senator Rose, Chairman of the Committee on Insurance, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendments:

Senate Bill No. 275:

A bill to be entitled An Act relating to and regulating certain classes of insurance agents and solicitors; to provide for the examination and licensing of such insurance agents and solicitors; fixing the fees to be paid therefor and the appropriation thereof; to provide for the suspension or revocation of such licenses and the procedure thereunder; to make it unlawful to engage in the business of an insurance agent or solicitor without having first procured a license; to prescribe qualifications of an insurance agent or solicitor, and the powers and duties of the State Treasurer or Insurance Commissioner in determining same, and prescribing certain additional qualifications of agents in cities and towns having certain populations; to require the payment of certain license taxes and qualification fees; to provide for the expense of the administration of this Act; to prohibit insurers from effecting contracts of insurance, or giving compensation therefor except to duly licensed agents under this Act; to provide penalties for the violation of the provisions of this Act; to amend Section 1 of Chapter 17069, Laws of Florida, Acts of 1935; to amend Section 2 of Chapter 17069, Laws of Florida, Acts of 1935; to amend Section 4 of Chapter 17069, Laws of Florida, Acts of 1935; to amend Section 5 of Chapter 14741, Laws of Florida, Acts of 1931; which said sections of said Acts to be amended relate to the subject matter hereinabove set forth; and to repeal all laws in conflict herewith.

Which amendments are as follows:

No. 1. Strike out lines 15, 16, 17, 18, 19, and 20 which read as follows: "The State Treasurer, or Insurance Commissioner, in his discretion, is authorized and empowered to refuse to issue, or to renew, a license to any person either as an insurance agent or solicitor who is either directly or indirectly interested in the business of financing or handling loans on real or personal property."

No. 2. Strike out lines 7, 8, 9, and 10 which read as follows: "Such license shall not be reissued, however, unless the State Treasurer, or Insurance Commissioner, is satisfied that the applicant is qualified under the requirements of this Act."

And Senate Bill No. 275, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Lewis, Chairman of the Committee on Judiciary "C," reported that the Committee had carefully considered the following bills and recommends that they do pass:

Senate Bill No. 367:

A bill to be entitled An Act relating to mortgages or other instruments given by cooperative associations, as defined herein, for the purpose of creating liens on real or personal property, or both, securing not only existing indebtedness but also future advances, whether obligatory or otherwise; providing for the priority of such mortgages or other instruments; and providing when this Act shall become effective.

And—

Senate Bill No. 295:

A bill to be entitled An Act creating a State Department of Archives and History, telling who shall constitute and compose the personnel of such department and where the office shall be situated; stating the duties and functions of the department; authorizing the acceptance of donations by the Department of Archives and History; providing a place of deposit for the storage of materials secured and making an appropriation to carry out the purposes of this Act.

And—

Senate Bill No. 31:

A bill to be entitled An Act to amend Section 8218, Compiled General Laws of Florida, 1927, the same being Section 5952, Revised General Statutes, 1920, relating to empaneling and oath of grand jurors.

And Senate Bills Nos. 367, 295 and 31, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Lewis, Chairman of the Committee on Judiciary "C," reported that the committee had carefully considered the following bill:

Senate Bill No. 381:

A bill to be entitled An Act providing manner of recording judgments and decrees of all courts in this State in order to become liens on real estate and permitting judgments and decrees of the United States District Courts held in the State of Florida to be recorded in same manner; and repealing all laws in conflict therewith.

And offer a Committee Substitute as follows, and recommend that the Committee Substitute do pass:

Committee Substitute for Senate Bill No. 381:

A bill to be entitled An Act providing manner of recording judgments and decrees of all courts in this State in order to become liens on real estate and permitting certified transcripts of judgments and decrees of United States District Courts held in the State of Florida to be recorded in same manner; and repealing all laws in conflict therewith.

And Senate Bill No. 381 together with Committee Substitute therefor, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Coulter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following bills and recommends that they do pass.

Senate Bill No. 348:

A bill to be entitled An Act for the relief of Oni Newsom.

Senate Bill No. 422:

A bill to be entitled An Act for the relief of L. B. Alexander, of the City of Waldo, County of Alachua, State of Florida, on account of injuries to his automobile caused by a State convict running into said car.

Senate Bill No. 425:

A bill to be entitled An Act for the relief of and to provide for the refunding to G. B. Knowles, of Bradenton, Manatee County, Florida, the sum of \$226.36 as damages for injury to his automobile occasioned by negligence of an employee of the State of Florida, on the Green Bridge between Palmetto and Bradenton, Florida.

Senate Bill No. 332:

A bill to be entitled An Act for the relief of Herbert Jones, a resident of Palm Beach County, Florida, providing an appropriation for injuries and damages sustained by him while a member of the One Hundred and Twenty-Fourth Infantry, Florida National Guard, with the rank of private; providing for the State Treasurer and the State Comptroller of the State of Florida to draw and cause to be drawn warrants in payment of the said appropriation herein provided for, and providing for the enforcement of this Act.

Senate Bill No. 484:

A bill to be entitled An Act placing the name of Mrs. James S. McKinney of Okaloosa County, Florida, widow of James S. McKinney, deceased, on the pension roll.

And Senate Bills Nos. 348, 422, 425, 332 and 484, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Coulter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendments:

Senate Bill No. 253:

A bill to be entitled An Act for the relief of Mary V. Cherry, widow, Clay County, Florida, and making appropriations therefor, as compensation for the loss of her husband, T. S. Cherry, who, as Sheriff of Clay County, Florida, was killed while performing service in the line of duty.

Which amendments are as follows:

No. 1:3

In Section 1, line 3, strike out the words and figures Twenty-five Hundred (\$25.00.00) Dollars, and insert in lieu thereof the following, Fifteen Hundred Dollars (\$1500.00).

No. 2:

In Section 3, line 3, strike out the words and figures Twenty-five Hundred (\$2500.00) Dollars, and insert in lieu thereof the following, Fifteen Hundred Dollars (\$1500.00).

And Senate Bill No. 253, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Coulter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendments:

Senate Bill No. 296:

A bill to be entitled an act for the relief of S. A. Guilfoyle of St. Petersburg, Pinellas County, Florida.

Which amendments are as follows:

No. 1:

In Section 1, line 1, strike out the words and figures Twenty-five thousand (\$25,000.00) Dollars, and insert in lieu thereof the following: Thirty-five Hundred Dollars (\$3500.00).

No. 2:

In Section 1, line 8, strike out the words and figures Twenty-five thousand (\$25,000.00) Dollars, and insert in lieu thereof the following: Thirty-five Hundred Dollars (\$3500.00).

And Senate Bill No. 296, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Coulter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendments:

Senate Bill No. 111:

A bill to be entitled An Act for relief of T. Lawrence Williams, a citizen of Lee County, Florida, and providing an appropriation for injuries and damages, sustained by him by reason of an accident with truck belonging to and being operated by the State Road Department, and providing for the payment of same, and

Which amendments are as follows:

No. 1:

In Section 1, line 1, strike out the words and figures Sixty-eight Hundred (\$6800.00) Dollars, and insert in lieu thereof the following: One Thousand Dollars (\$1000.00).

No. 2:

In Section 2, line 4, strike out the words and figures Sixty-eight Hundred (\$6800.00) Dollars, and insert in lieu thereof the following: One Thousand Dollars (\$1000.00).

And Senate Bill No. 111, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Coulter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendments—

Senate Bill No. 130:

A bill to be entitled An Act for the relief of Fred O. Eberhardt of Tallahassee, Leon County, Florida.

Which amendments are as follows:

No. 1.

In the Preamble, Lines 22 and 23, strike out the words and figures One Thousand Five Hundred Four Dollars and Twenty-five Cents (\$1,504.25) and insert in lieu thereof the following:

Seven Hundred Fifty Dollars (\$750.00).

No. 2.

In Section 1, Lines 2, 3 and 4, strike out the words and figures One Thousand Dollars as salary, Five Hundred Dollars and twenty-five cents, and insert in lieu thereof the following:

Seven Hundred Fifty Dollars (\$750.00).

No. 3.

In Section 2, Lines 3 and 4, strike out the words and figures One Thousand Five Hundred Four Dollars and Twenty-five Cents (\$1,504.25), and insert in lieu thereof the following:

Seven Hundred Fifty Dollars (\$750.00).

And Senate Bill No. 130, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Coulter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendments—

Senate Bill No. 560:

A bill to be entitled An Act for the relief of Mrs. Rebecca Green, and providing appropriation for injuries and damages sustained by the loss of her husband, J. Bascom Green, whose death on February 20, 1928 was caused by the caving in of the walls of a clay pit while he was at work for the State Road Department of the State of Florida.

Which amendments are as follows:

No. 1.

In Section 1, Line 3, strike out the words "funds of the State Road Department of Florida", and insert in lieu thereof the following:

"General Fund of the State of Florida".

No. 2.

In Section 2, Line 1, strike out the words "State Road Department", and insert in lieu thereof the following: "Treasurer".

No. 3.

In Section 2, Line 8, strike out the words "the State Road Department of Florida" and insert in lieu thereof the following:

"The said Treasurer out of the General Fund of the State of Florida".

And Senate Bill No. 560, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Walker, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendment—

Senate Bill No. 433:

A bill to be entitled An Act to amend Section 36 of Chapter 13644, Laws of Florida, Acts of 1929, relating to Fresh Water and Game.

Which amendment is as follows:

No. 1.

In Section 1, line 4, strike out the figure "10" and insert in lieu thereof the following: "8".

And Senate Bill No. 433, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senator Walker, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following bill and recommends that the same do pass—

Senate Bill No. 437:

A bill to be entitled An Act to amend Section 43, Chapter 13644, Laws of Florida, Acts of 1929, relating to Fresh Water Fish and Game.

And Senate Bill No. 437, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Walker, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following bills and recommends that they do pass:

Senate Bill No. 418:

A bill to be entitled An Act to amend Section 70, Chapter 13644, Laws of Florida, Acts of 1929, relating to Fresh Water Fish and Game.

Senate Bill No. 419:

A bill to be entitled An Act relating to fishing; providing a closed season on all species of fresh water fish; and providing penalties for the violation of this Act.

Senate Bill No. 427:

A bill to be entitled An Act to provide for a regular license year for issuing commercial licenses under the provisions of Chapter 13644, Laws of Florida, Acts of 1929, relating to fresh water fish and game; to define what shall be known as commercial licenses under the terms of this Act and repealing all laws and parts of laws in conflict herewith.

Senate Bill No. 428:

A bill to be entitled An Act assenting to the provisions of the Act of Congress entitled "An Act to provide that the United States shall aid the States in wildlife restoration projects and for other purposes." approved September 2, 1937; and prohibit-

ing the diversion of the funds accruing to the State of Florida from license fees paid by hunters for any purpose other than the administration of the Department of Game and Fresh Water Fish of Florida.

Senate Bill No. 430:

A bill to be entitled An Act to amend Section 56 of Chapter 13644, Laws of Florida, Acts of 1929, relating to fresh water fish and game.

Senate Bill No. 431:

A bill to be entitled An Act to amend Section 55 of Chapter 13644, Laws of Florida, Acts of 1929, relating to fresh water fish and game.

Senate Bill No. 432:

A bill to be entitled An Act to amend Section 20 of Chapter 13644, Laws of Florida, Acts of 1929, as amended by Chapter 17015, Acts of 1935, relating to fresh water fish and game.

Senate Bill No. 435:

A bill to be entitled An Act to place black bear on the list of game animals and establishing an open season for taking black bear and providing penalties for the violation of this Act.

Senate Bill No. 436:

A bill to be entitled An Act to amend Section 49, of Chapter 13644, Laws of Florida, Acts of 1929, relating to fresh water fish and game.

And Senate Bills Nos. 418, 419, 427, 428, 430, 431, 432, 435 and 436, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Dame, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following bills and recommends that they do pass:

Senate Bill No. 457:

A bill to be entitled An Act to amend Chapter 12419 Acts of the Legislature of 1927 being a bill entitled "An Act regulating the operation and maintenance of tourist camps; giving the owners or keepers thereof liens in certain cases; and prescribing the manner in which the same may be enforced; empowering the State Board of Health to issue permits to operate such camps, and power to revoke the same; to make rules and regulations relating to the operation of such camps; and prescribing penalties in certain cases."

Senate Bill No. 548:

A bill to be entitled An Act regulating the sale and distribution of certain poisons and poisonous substances, and prescribing penalties for the violation thereof.

And Senate Bills Nos. 457 and 548, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Clarke, Chairman of the Committee on Banking, Building and Loans, reported that the Committee had carefully considered the following bill and report the same without recommendation, the vote of the Committee being evenly divided:

Senate Bill No. 192:

A bill to be entitled An Act to regulate the purchase of wages, salaries or other compensation for services and the taking of assignments thereof where the consideration for the purchase or assignment shall be \$300 or less, and to provide that such transactions shall, in the application of laws relating to loans, interest charges or usury, be deemed loans secured by such assignments and the amount by which such assigned compensation shall exceed the amount of the consideration actually paid therefor shall, in such application of such laws, be deemed interest on the loan from the date of the payment for such purchase or assignment until the date such compensation is payable.

And Senate Bill No. 192, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Parker, Chairman of the Committee on Public Roads and Highways, reported the Committee had carefully considered the following bills and recommends that they do pass.

Senate Bill No. 531:

A bill to be entitled An Act re-designating and re-establishing a portion of State Road Number Seventy-seven in Levy and Gilchrist Counties.

Senate Bill No. 534:

A bill to be entitled An Act to declare, designate, and establish a certain State road in Citrus County.

Senate Bill No. 535:

A bill to be entitled An Act to declare, designate, and establish a certain State road in Citrus County.

Senate Bill No. 536:

A bill to be entitled An Act to declare, designate, and establish a certain State road in Citrus County.

Senate Bill No. 537:

A bill to be entitled An Act to declare, designate, and establish a certain State road in Citrus County.

Senate Bill No. 538:

A bill to be entitled An Act to declare, designate and establish a certain State road in Citrus County.

Senate Bill No. 539:

A bill to be entitled An Act to declare, designate, and establish a certain State road in Citrus County

And Senate Bills Nos. 531, 534, 535, 536, 537, 538 and 539, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Whitaker, Chairman of the Committee on Judiciary "B," reported that the Committee had carefully considered the following bill and recommends that the same do pass.

House Bill No. 3:

A bill to be entitled An Act referring to corporations and the restoration of the corporate privileges and corporate entity of corporations dissolved by operation of law for failure to pay the capital stock tax, and prescribing conditions for such restoration.

And House Bill No. 3, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Holland, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following bills and recommends that they do pass.

House Bill No. 477:

A bill to be entitled An Act to amend Section 1526, Revised General Statutes of Florida, 1920, relating to the transfer of money from one fund to another fund in the annual budgets of counties.

House Bill No. 476:

A bill to be entitled An Act to provide for impounding of all excise and license taxes now or hereafter levied and collected by the State of Florida from the operation of any race track or game of Jai-a-lai or pelota, or pari-mutuel pools conducted in conjunction therewith, in the event the apportionment and distribution thereof as now or hereafter provided by law is held to be invalid by the Supreme Court of the State, and requiring the State Treasurer to hold said tax moneys in a special fund to be retained by him and to distribute the same only in such manner and at such time as prescribed by the Legislature of this State.

And House Bills Nos. 477 and 476, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Holland, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following bill and recommends that the same do pass with the following amendment:

House Bill No. 475:

A bill to be entitled An Act to amend Section 13 of Chapter 14832, Laws of Florida, Acts of 1931, being: "An Act to provide for a State Racing Commission; to prescribe its powers and duties, and to fix the compensation of its members; to provide for holding referendum and recall elections in any County to determine whether racing shall be permitted or continued therein; to provide for licensing and taxing such racing and apportioning the moneys derived therefrom among the several counties of the State; to provide for and regulate the making of pari-mutuel pools within the enclosure of licensed race tracks; providing certain penalties for the violation of this Act; and for other purposes relating thereto," so as to provide an alternative method distribution of the moneys derived from the licensing and taxing of racing in this State in the event the distribution and use thereof as

now provided be held illegal by the Supreme Court of this State; declaring such alternative distribution and use thereof to be for a State purpose; and prescribing the duties of certain County Officials with respect to said funds.

Which amendments are as follows:

Amendment No. 1: On page two of the typewritten Bill, in the 12th line from the top of the page, strike out the word "Treasurers" and insert in lieu thereof the word "Commissioners."

Amendment No. 2: On page 2, second line from bottom, strike out "Treasurer" and insert in lieu thereof the word "Commissioners."

Amendment No. 3: On page 2, 9th line from bottom, strike out "Treasurer" and insert in lieu thereof the word "Commissioners."

Amendment No. 4: In line one, on the last page, strike the words "without resolution of the Board of County Commissioners" (typewritten bill.)

Amendment No. 5: In the third line on page three (typewritten bill) strike the period, and insert in lieu thereof a semicolon; then add the following: "provided, further, in those instances where any other method of remittance is prescribed by local or special law, then such method shall be followed."

And House Bill No. 475, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

House Bill No. 793

House Bill No. 836

Be leave to report that the same have this day been presented to the Governor for his approval.

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Bill No. 265:

An Act to provide for a Statewide Retirement System for Teachers; to provide for its management and regulation; to define its membership and benefits payable thereunder; to provide for contributions by the members of the retirement system and by the State of Florida; to appropriate money from the General Revenue Fund of the State for the payment of part of the costs of maintenance and all of the costs of administering the system and to regulate the use of these monies; to provide that all benefits payable under the system shall be exempt from all taxes and from execution and attachment and other legal process and shall be non-assignable except as provided therein; and to provide penalties for violations of this Act.

Be leave to report that the same have this day been presented to the Governor for his approval.

Senator Westbrook moved that when the Order of the Day is reached in the proceedings on Thursday, May 4, 1939, the Senate take up and consider all Local Bills and Road Designation Bills on the Calendar in the order mentioned.

Which was agreed to and it was so ordered.

Senator Hodges moved that the rules be waived and the hour of adjournment at this session be fixed at 4:30 o'clock P. M.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Kanner moved that the rules be waived and when the Senate adjourns on Thursday, May 4, 1939, it adjourns to reconvene at 11:00 o'clock A. M., Friday, May 5, 1939, for a two hour session.

Which was agreed to by a two-thirds vote and it was so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Whitaker—

Senate Bill No. 570:

A bill to be entitled An Act creating Tampa Utility Board for the City of Tampa, prescribing the powers, duties and authority thereof; regulating the sale and service of gas and electricity within the City of Tampa; fixing the number, terms and compensation of the members of the Tampa Utility Board and the method of naming the first members thereof; giving said board power to employ an attorney, rate experts and en-

gineers; providing for the filing of reports and the furnishing of information to said Tampa Utility Board by all of the utilities operating in the City of Tampa, as defined in this Act; giving certain powers and rights to members of Tampa Utility Board; prescribing procedure for investigations and giving said board the power, after hearings, to fix rates within the City of Tampa for the sale by persons, firms or corporations of gas and electricity; defining certain violations of this Act as misdemeanors and prescribing the punishment therefore, upon conviction thereof; giving Tampa Utility Board power to prescribe rules and regulations affecting the sale of gas and electricity within the City of Tampa; prohibiting the charging of excessive rates, tolls or charges for the sale of gas or electricity within the City of Tampa; prohibiting discrimination in rates, charges and tolls for the sale of gas or electricity within the City of Tampa, as between different purchases or users thereof; prohibiting refunds and rebates by utilities in the City of Tampa; giving the Tampa Utility Board, its members and employees, power to inspect accounts, books, records, and papers of the utilities doing business in the City of Tampa, and conferring upon said Tampa Utility Board the same powers of investigation and examination, under oath, of officers, agents and employees of utilities as is now given under the laws of this State to the State Railroad Commission, in the exercise of such powers over railroads, railroad companies, common carriers and telephone and telegraph companies; requiring said Tampa Utility Board to keep proper minutes; providing for the payment of salaries and expenses of said Tampa Utility Board; giving said Tampa Utility Board full power to act within the authority conferred by this Act independent of the Mayor or Board of Representatives, or other authorities of the City of Tampa; providing the procedure and prescribing the limitations of said Tampa Utility Board in ascertaining and promulgating just and reasonable rates, tolls and charges governing the users of gas or electricity within the City of Tampa, and making it unlawful for any utility, as defined in this Act, to charge more than the rates fixed and promulgated by said Tampa Utility Board; giving Tampa Utility Board power to prescribe rules and regulations affecting the sale of gas and electricity within the City of Tampa, and prescribing other duties, powers and rights incident thereto.

The following proof of publication was attached to Senate Bill No. 570 when it was introduced in the Senate:

NOTICE OF SPECIAL LEGISLATION

Notice is hereby given that application will be made to the Florida Legislature of 1939, which convenes at Tallahassee, Florida, on April 4, 1939, for the introduction and passage of a special law applying only to the City of Tampa, the substance of which is as follows:

"An Act creating Tampa Utility Board for the City of Tampa, prescribing the powers, duties and authority thereof; regulating the sale and service of gas and electricity within the City of Tampa; fixing the number, terms and compensation of the members of the Tampa Utility Board and naming the first members thereof; giving said Board power to employ an attorney, rate experts and engineers; providing for the filing of reports and the furnishing of information to said Tampa Utility Board by all of the utilities operating in the City of Tampa, as defined in this Act; giving certain powers and rights to members of Tampa Utility Board; prescribing the procedure for investigations and giving said Board the power, after hearings, to fix rates within the City of Tampa for the sale by persons, firms or corporations of gas and electricity; defining certain violations of this Act as misdemeanors and prescribing the punishment therefore, upon conviction thereof; giving Tampa Utility Board power to prescribe rules and regulations affecting the sale of gas and electricity within the City of Tampa; prohibiting the charging of excessive rates, tolls or charges for the sale of gas or electricity within the City of Tampa; prohibiting discrimination in rates, charges and tolls for the sale of gas or electricity within the City of Tampa, as between different purchasers or users thereof; prohibiting refunds and rebates by utilities in the City of Tampa; giving the Tampa Utility Board, its members and employees, power to inspect accounts, books, records and papers of the utilities doing business in the City of Tampa, and conferring upon said Tampa Utility Board the same powers of investigation and examination, under oath, of officers, agents and employees of utilities as is now given under the laws of this State to the State Railroad Commission, in the exercise of such powers over railroads, railroad companies, common carriers and telephone and telegraph companies; requiring said Tampa Utility

Board to keep proper minutes; providing for the payment of salaries and expenses of said Tampa Utility Board; giving said Tampa Utility Board full power to act within the authority conferred by this Act independent of the Mayor or Board of Representatives, or other authorities of the City of Tampa; providing the procedure and prescribing the limitations of said Tampa Utility Board in ascertaining and promulgating just and reasonable rates, tolls and charges governing the use of gas or electricity within the City of Tampa, and making it unlawful for any utility, as defined in this Act, to charge more than the rates fixed and promulgated by said Tampa Utility Board; giving Tampa Utility Board power to prescribe rules and regulations affecting the sale of gas and electricity within the City of Tampa, and prescribing other duties, powers and rights incident thereto."

The above special laws will be introduced into the Legislature, Session of 1939, at some date more than thirty days after the publication of this notice in the Florida Labor Advocate, a newspaper of general circulation published in Tampa, Hillsborough County, Florida.

PAT WHITAKER.

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA,
COUNTY OF HILLSBOROUGH, SS.R

BEFORE ME, the undersigned authority, this day personally appeared Chas. E. Silva, who by me being first duly sworn according to law, deposes and says that he is Publisher of the Florida Labor Advocate, a weekly newspaper of general circulation and published at Tampa, in said County of Hillsborough, State of Florida, and that a full, true and correct copy of which said publication is hereto attached, was published in said newspaper in its issues of March 10, 1939.

Affiant further says that the above named newspaper has been continuously published once each week in said County of Hillsborough, State of Florida, for more than one year immediately preceding the first publication of said notice, and was during all of such time, and now is, entered as second-class mail matter in the United States Post Office at Tampa, Hillsborough County, Florida, thereby conforming to the requirements of Senate Bill No. 58, the same being an Act of the 1931 Legislature of the State of Florida in reference to publications of such notices and court processes, approved May 20, 1931.

CHAS. E. SILVA.

Sworn to and subscribed before me, this 2nd day of May, A. D. 1939.

META O. WILKINS,

Notary Public, State of Florida at Large.
My commission expires March 10, 1943.

(Seal)

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 570 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 570 was read the second time title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 570 be read the third time in full and put on its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 570 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Whitaker—

Senate Bill No. 571:

A bill to be entitled An Act authorizing and empowering the Tampa Utility Board to make investigations into and fix rates, charges and tolls for and to regulate the service of all utilities, persons, firms and corporations within the City of

Tampa engaged in the business of transporting people or goods for hire and where the street cars or other vehicles used for said purpose are propelled by electricity; provided said investigations, fixing of rates, tolls and charges and promulgating rules and regulations by Tampa Utility Board shall be performed and done by said Board in the same manner as now prescribed by law governing said Board with reference to the sales and service of gas and electricity within the City of Tampa by Act of 1939 Legislature; giving said Tampa Utility Board the same rights and powers over utilities, persons, firms and corporations within the City of Tampa engaged in the business of transporting people or goods for hire by the use of cars or vehicles which are propelled by electricity that said Board shall have under the law governing the sale and service of gas and electricity within the City of Tampa at the time of the passage of this Act.

The following proof of publication was attached to Senate Bill No. 571 when it was introduced in the Senate:

No. 3358.

NOTICE OF SPECIAL LEGISLATION

Notice is hereby given that application will be made to the Florida Legislature of 1939, which convenes at Tallahassee, Florida, on April 4th, 1939, for the introduction and passage of a Special law applying only to the City of Tampa, the substance of which is as follows:

An Act authorizing and empowering the Tampa Utility Board to make investigations into and fix Rates, Charges and Tolls for and to regulate the service of all Utilities, Persons, Firms and Corporations within the City of Tampa engaged in the business of transporting people or goods for hire and where the Street Cars or other vehicles used for said purpose are propelled by electricity; Provided said investigations, Fixing of Rates, Tolls and Charges and Promulgating Rules and Regulations by Tampa Utility Board shall be performed and done by said Board in the same manner as now prescribed by Law governing said Board with reference to the sales and service of Gas and Electricity within the City of Tampa by Act of 1939 Legislature; Giving said Tampa Utility Board the same rights and powers over Utilities, Persons, Firms and Corporations within the City of Tampa engaged in the business of transporting people or goods for hire by the use of cars or vehicles which are propelled by electricity that said Board shall have under the law governing the sale and service of Gas and Electricity within the City of Tampa at the time of the Passage of this Act.

The purpose of said Act is to place the service and the rates charged by electricity propelled Street Cars or other electrically propelled utilities under the jurisdiction of the Tampa Utility Board.

The above Special Law will be introduced into the Legislature of the State of Florida, Session of 1939 at some date more than 30 days after the publication of this Notice in The Evening News, a newspaper of general circulation, published in Tampa, Hillsborough County, Florida.

PAT WHITAKER,

Senator—34th District.

(4)-1 (1t)—No. 3358.

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA)
) ss.
COUNTY OF HILLSBOROUGH)

Before me, the undersigned authority, this day personally appeared W. J. Placie, who by me being first duly sworn according to law, deposes and says that he is the Publisher of The Evening News, a newspaper of general circulation and published at Tampa, in said County of Hillsborough, State of Florida, and that a full true and correct copy of which said publication is hereto attached, was published in said newspaper in its issues of April 1, 1939.

Affiant further says that the above named newspaper has been continuously published once each week in said County of Hillsborough, State of Florida, for more than one year immediately preceding the first publication of said Notice, and was during all of such time, and now is entered as second class mail matter in the United States Post Office at Tampa, Hillsborough County, Florida, thereby conforming to the requirements of Senate Bill No. 58, the same being an Act of the 1931 Legislature of the State of Florida in reference to

publication of such notices and court processes, approved May 20, 1931.

W. J. PLACIE.

Sworn to and subscribed before me this 1 day of April, A. D., 1939.

LUCILE TRICE CARTER.

(Seal).

Notary Public, State of Florida at Large,
My Commission Expires August 16, 1941.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 571 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 571 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 571 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 571 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

Nays—None.

So, the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Whitaker—

Senate Bill No. 572:

A bill to be entitled An Act to repeal Chapter 9968 Laws of Florida 1923, the same entitled, "An Act to confer upon the City of Tampa the power to regulate electric light, electric power and gas rates and service and to prescribe the means and method of exercising such power."

The following proof of publication was attached to Senate Bill No. 572 when it was introduced in the Senate:

NOTICE OF SPECIAL LEGISLATION

Notice is hereby given that application will be made to the Florida Legislature of 1939, which convenes at Tallahassee, Florida, on April 4, 1939, for the introduction and passage of a special law applying only to the City of Tampa, the substance of which is as follows:

"An Act to repeal Chapter 9968, Laws of Florida 1923, the same being, 'An Act to confer upon the City of Tampa, the power to regulate electric light, electric power and gas rates and service, and to prescribe the means and method of exercising such power'."

The purpose of said Act is to repeal the former Act of the Legislature passed at the 1923 Session and known as Chapter 9968 and thus to eliminate the method of arbitration as a means of fixing electric and gas rates for electricity and power and the service thereon.

The above special law will be introduced into the Legislature of the State of Florida, Session of 1939, at some date more than thirty days after the publication of this Notice in the Florida Labor Advocate, a newspaper of general circulation, published in Tampa, Hillsborough County, Florida.

PAT WHITAKER.

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA,
COUNTY OF HILLSBOROUGH, ss.

BEFORE ME, the undersigned authority, this day personally appeared Chas. E. Silva, who by me being first duly sworn according to law, deposes and says that he is Publisher of the Florida Labor Advocate, a weekly newspaper of general circulation and published at Tampa, in said County of Hillsborough, State of Florida, and that a full, true and correct copy of which said publication is hereto attached, was published in said newspaper in its issue of March 10, 1939.

Affiant further says that the above named newspaper has

been continuously published once each week in said County of Hillsborough, State of Florida, for more than one year immediately preceding the first publication of said Notice, and was during all of such time, and now is, entered as second-class mail matter in the United States Post Office at Tampa, Hillsborough County, Florida, thereby conforming to the requirements of Senate Bill No. 58, the same being An Act of the 1931 Legislature of the State of Florida in reference to publications of such notices and court processes, approved May 20, 1931.

CHAS. E. SILVA.

Sworn to and subscribed before me, this 2nd day of May, A. D. 1939.

META O. WILKINS,

Notary Public, State of Florida at Large.

My commission expires March 10, 1943. (Seal)

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 572 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 572 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 572 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 572 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators, Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senators Beacham and Graham—

Senate Bill No. 573:

A bill to be entitled An Act for the protection of producers of farm products; providing for the licensing, the bonding, or holding collateral of and the regulation of dealers in farm produce as herein defined; conferring powers and imposing duties on the Commissioner of Agriculture for the enforcement of this Act; providing for the securing of injunctions for violation of said Act; providing penalties for violation of the Act; and providing for payment of expenses in enforcing said Act.

Which was read the first time by title only.

Senator Beacham moved that Senate Bill No. 573 be referred to the Committee on Judiciary "B."

Which was agreed to and it was so ordered.

By Senator Clarke—

Senate Bill No. 574:

A bill to be entitled An Act relating to the administration of estates and the probate of wills, prohibiting the probate of estates or wills of persons dying residents of this State in other States or countries prior to the probate thereof in this State, providing that the violation of such prohibition shall constitute a misdemeanor, and fixing the penalty therefor.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Clarke—

Senate Bill No. 575:

A bill to be entitled An Act relating to the administration of estates of decedents, to the probate of wills of persons dying residents of this State after foreign probate, and amending Section 72 of Chapter 16,103, Laws of Florida, Acts of 1933 as amended by Section 2 of Chapter 17,171, Laws of Florida, Acts of 1935.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Clarke—
Senate Bill No. 576:

A bill to be entitled An Act relating to the administration of the estates of decedents, the probate of wills, and the effect thereof, and amending Section 63 of Chapter 16,103, Laws of Florida, Acts of 1933.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Clarke—
Senate Bill No. 577:

A bill to be entitled An Act amending Section 83, of Chapter 16,103, Laws of Florida, Acts of 1933, and prohibiting the appointment of any person not a citizen of the United States of America and a resident of the State of Florida as personal representative of the estate of any decedent, except that such prohibition shall not apply to any heir at law of the estate of any deceased person who died having his domicile in the State of Florida who is a citizen of the United States of America and who resides in any part thereof other than the State of Florida and who has the sole interest or an interest in such an estate equal to or greater than any other heir, legatee or devisee, shall not apply to heirs at law of the estate of any deceased person who died having his domicile in the State of Florida who are citizens of the United States of America and are residents of any part thereof other than the State of Florida and who among themselves or together with one or more residents of the State of Florida own the entire interest in such an estate, when all are appointed and act jointly, shall not apply to any citizen of the United States of America residing in Florida who is the spouse, father, mother, child, brother, or sister of a decedent heretofore or hereafter dying domiciled in Florida, and shall not apply to any person appointed as personal representative prior to the effective date of this Act; requiring any such non-resident personal representative to appoint a resident agent or attorney for the service of process before issuance of his letters and requiring the institution and maintenance of proceedings for the resignation of any qualified personal representative becoming disqualified to act as such after his appointment, and providing a penalty for any person acting or continuing to act in violation of the foregoing, and repealing all laws and parts of laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Beacham—
Senate Bill No. 578:

A bill to be entitled An Act relating to the requirements to do business in the State of insurance companies transacting the business of fidelity and surety; and to permit such companies to make cash deposits as a condition to the doing of such a business in Florida.

Was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 578 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 578 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 578 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 578 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hodges, Holland, Horne, Kanner, Kelly (16th), Kendrick, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Westbrook, Whitaker, Wilson—29.

Nays—Senator Black—1.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senators Whitaker and Murphy—
Senate Bill No. 579:

A bill to be entitled An Act for the relief of Olive King,

widow, formerly of DeSoto County, now of Hillsborough County, Florida; appropriating money to be paid her as compensation for the wrongful death of her husband, Russell King, at the hands of a convict guard; and authorizing and requiring the payment to her of said appropriation.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Ward—
Senate Bill No. 580:

A bill to be entitled An Act authorizing and empowering the several Boards of Public Instruction in Counties of between 16,250 and 16,500 population according to the last State census to transfer funds from their interest and sinking fund accounts to their General Fund account whenever there is an excess in the interest and sinking fund over and above the current bond and interest coupon payments; and further providing for the procedure for the same.

Which was read the first time by title only.

Senator Ward moved that the rules be waived and Senate Bill No. 580 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 580 was read the second time by title only.

Senator Ward moved that the rules be further waived and Senate Bill No. 580 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 580 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Dye—
Senate Bill No. 581:

A bill to be entitled An Act to amend Section 1 and 4 of Chapter 17903, Laws of Florida, Acts of 1937, being An Act entitled: "An Act to appropriate \$87,760 for the further expenses of the Everglades National Park Commission, created by Act of the Legislature Chapter 13887, May 25, 1929, as amended by Chapter 16966, Acts of 1935."

Which was read the first time by title only and referred to the Committee on Appropriations.

By the Committee on Insurance—
Senate Bill No. 582:

A bill to be entitled An Act relating to Benevolent Mutual Benefit Associations or societies operating on the assessment plan.

Which was read the first time by title only.

Senator Clarke moved that Senate Bill No. 582 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By the Committee on Insurance—
Senate Bill No. 583:

A bill to be entitled An Act to amend Section 4315, Revised General Statutes of Florida, 1920, (designated also as Section 6278, Compiled General Laws of Florida, 1927) relating to incorporation and management of domestic mutual fire insurance associations.

Which was read the first time by title only.

Senator Clarke moved that Senate Bill No. 583 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By the Committee on Insurance—
Senate Bill No. 584:

A bill to be entitled An Act to amend Section 4249 Revised

General Statutes of Florida 1920 (designated also as Section 6199 Compiled General Laws of Florida 1927) relating to assets required of insurance carriers with certain exceptions.

Which was read the first time by title only.

Senator Rose moved that Senate Bill No. 584 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By Senators Hodges, Whitaker, Horne and Black—
Senate Bill No. 585:

A bill to be entitled An Act to amend Section 12 of Chapter 14832, Laws of Florida, Acts of 1931, being, "An Act to provide for a State Racing Commission to prescribe its powers and duties, and to fix the compensation of its members; to provide for holding referendum and recall elections in any County to determine whether racing shall be permitted or continued therein; to provide for licensing and taxing such racing and apportioning the moneys derived therefrom among the several counties of the State to provide for and regulate the making of pari mutuel pools within the enclosure of licensed race tracks; providing certain penalties for the violation of this Act, and for other purposes relating thereto," as the same was amended by Chapter 16113, of the Acts of 1933; by providing for an earlier distribution of the moneys distributable to the several counties of the State of Florida, and by limiting the funds available to the State Racing Commission for expenses between racing seasons to forty thousand (\$40,000.00) dollars per annum.

Which was read the first time by title only.

Senator Hodges moved that the rules be waived and Senate Bill No. 585 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 585 was read the second time by title only.

Senator Hodges moved that the rules be further waived and Senate Bill No. 585 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 585 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—36.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senators Beacham and Hodges—
Senate Bill No. 586:

A bill to be entitled An Act to provide for the punishment of operators of motor vehicles in this State who hit or injure any dog and depart from the scene of the accident without rendering such assistance as will safeguard the life of such dog.

Which was read the first time by title only.

Senator Beacham moved that Senate Bill No. 586 be referred to the Committee on Miscellaneous.

Which was agreed to and it was so ordered.

By Senator Beacham—
Senate Bill No. 587:

A bill to be entitled An Act providing that there shall be created in all counties having a population in excess of 53,194, according to the last regular State census, a board of examiners of carpenters and carpenter foremen; providing for examination and licensing of carpenters and carpenter foremen; for reasonable examination fees; regulating apprentices; providing for compensation for this board; providing for inspectors to enforce this Act; providing for penalty for the violation of this Act; creating and defining a board of appeals; repealing all laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Coulter—
Senate Bill No. 588:

A bill to be entitled An Act to re-designate and re-establish State Road 77-A.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senators Beall, Whitaker and Kelly (11th)—
Senate Bill No. 589:

A bill to be entitled An Act requiring all municipalities in the State of Florida having according to the last census a population in excess of 30,500 to provide medical treatment at municipal expense to indigent residents of such municipalities who are infected with venereal disease, and authorizing the expenditure of municipal funds for such treatment, and authorizing the levy of ad valorem taxes to defray the expenses thereof.

Which was read the first time by title only and referred to the Committee on Cities and Towns.

By Senator Johns—
Senate Bill No. 590:

A bill to be entitled An Act to declare, designate and establish a certain State Road in Alachua and Union Counties, Florida.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Savage—
Senate Bill No. 591:

A bill to be entitled An Act prohibiting the catching, gathering or taking, for the purpose of sale, of any kind or character of fish, or of alligators, or of frogs, from the waters of Lake Weir and Little Lake Weir, said Little Lake Weir being otherwise known as Lake Bonita, in the County of Marion, State of Florida; making it a misdemeanor to violate the provisions of this Act; and providing a penalty for the violation thereof.

The following proof of publication was attached to Senate Bill No. 591 when it was introduced in the Senate:

LEGAL NOTICE

TO WHOM IT MAY CONCERN:

Notice is hereby given that application will be made to the Legislature of the State of Florida, at the 1939 session thereof, for the passage of a local or special law, applying to the Commission of certain acts upon certain bodies of water in Marion County, Florida, as more fully appears by the following text of the said local or special law to be applied for, viz:

A BILL TO BE ENTITLED

An Act prohibiting the catching, gathering or taking, for the purpose of sale, of any kind or character of fish, or of Alligators, or of Turtles, or of frogs, from the waters of Lake Weir and Little Lake Weir, said Little Lake Weir being otherwise known as Lake Bonita, in the County of Marion, State of Florida, making it a misdemeanor to violate the provisions of this Act, and providing a penalty for the violation thereof:

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. From and after the passage of this Act it shall be unlawful for any person to take, catch or gather, for the purpose of sale, any fish, alligators, turtles or frogs, from the waters of Lake Weir and Little Lake Weir, otherwise known as Lake Bonita, in Marion County, Florida.

Section 2. Any violation of this Act shall be a misdemeanor and any person convicted thereof, shall be punished by fine of not less than \$25.00 nor more than \$100.00, or by imprisonment in the county jail not less than 15 days, nor more than six months, or by both such fine and imprisonment.

Section 3. This Act shall take effect upon becoming a law.

This notice is published by direction of the Board of County Commissioners of Marion County, Florida.

CARLYLE AUSLEY,
Clerk of the Board of County Commissioners of Marion County, Florida.
No. 238 March 28, April 4, 11, 18, 25.

A bill to be entitled An Act taxing the manufacture, distri-

bution and sale of beverages containing more than one per centum of alcohol by weight, amending Section 10 of Chapter 18015 of the Acts of 1937, entitled: "An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one per centum of alcohol by weight, amending Sections 7 and 9 of Chapter 16774 of the Acts of 1935, entitled 'An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one per centum of alcohol, creating and providing for a State Beverage Department, providing penalties for the violation of this Act and repealing existing laws concerning said beverages'; providing for additional supervisors of the Beverage Department; providing for the expenses of the Beverage Department; appropriating the monies collected under the beverage laws and providing penalties for the violation of this Act."

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Kelly (16th)—

Senate Bill No. 596:

A bill to be entitled An Act to amend Section 7 of Chapter 10,123, Laws of Florida, Acts of 1925, as amended by Chapter 17,011, Laws of Florida, Acts of 1935, relating to and fixing the license to be paid by wholesale and retail fish dealers in the State of Florida.

Which was read the first time by title only.

Senator Kelly (16th) moved that Senate Bill No. 596 be referred to the Committee on Game and Fisheries.

Which was agreed to and it was so ordered.

By Senator Kelly (16th)—

Senate Bill No. 597:

A bill to be entitled An Act to repeal Chapter 17896, Laws of Florida, Acts of 1937, entitled: "An Act regulating the sale of cold storage eggs in the State of Florida; defining cold storage eggs; providing for tax on sale of cold storage eggs; providing for collection of such tax by Comptroller of the State of Florida; appropriating expense for such collection; authorizing the Comptroller to make rules and regulations for collection of such tax; providing penalty for failure to pay such tax; providing for and making it the duty of all persons, firms, corporations or associations to notify the Comptroller if they are engaged in or desire to engage in the sale of cold storage eggs."

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Kelly (16th)—

Senate Bill No. 598:

A bill to be entitled "An Act granting to the cities and towns of the State of Florida the power to prescribe and enforce zoning regulations governing the construction, location, and use of buildings and other structures within the corporate limits of such cities and towns; to provide for the method of procedure to establish such regulations; to provide for the creation of a Zoning Commission and Board of Adjustment and prescribing the duties of the same; to provide for hearings and appeals; to provide for penalties for violation of this Act and of such regulations, and to provide for civil remedies to restrain, correct, or abate violations of this Act and of such regulations.

Which was read the first time by title only and referred to the Committee on Cities and Towns.

By Senator Kelly (16th)—

Senate Bill No. 599:

A bill to be entitled An Act regulating the design, installation, alteration, maintenance and inspection of elevators; providing fees for inspection of same and certificates of operation; providing for penalties for the violation thereof, and imposing certain duties upon the Florida Industrial Commission.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Rose—

Senate Bill No. 600:

A bill to be entitled An Act for the relief of Winslow S. Anderson.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Rose—

Senate Joint Resolution No. 601:

A Joint Resolution proposing an amendment of Section IX of Article IX of the Constitution relating to exemptions from taxation.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment of Section IX of Article IX of the Constitution of the State of Florida, relating to exemptions from taxation be, and the same is hereby, agreed to, and shall be submitted to the electors of the State at the general election of representatives in 1940 for approval or rejection: that is to say that the said Section IX of Article IX be amended so as to read as follows:

"Section IX. In addition to all other exemptions allowed by law, there shall be exempt from taxation property to the assessed value of \$500.00 to every widow who is a bona fide resident of the State of Florida that has a family dependent on her for support, or who engages in any work or labor, or who is dependent on others for her own support, and to every person who is a bona fide resident of the State of Florida and has lost a limb or been disabled in war or by misfortune."

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

The motion made by Senator Dye to reconsider the vote by which Senate Bill No. 47 passed the Senate on May 2, 1939, was taken up in its order and the consideration thereof was informally passed.

SENATE BILLS ON THIRD READING

Senate Bill No. 100 was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 151:

A bill to be entitled An Act granting pension to Mrs. Mary J. Fulgham of Florida.

Was taken up in its order and read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beall, Black, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Parrish, Price, Rose, Sharit, Walker, Westbrook, Whitaker—28.

Nays—None.

So Senate Bill No. 151 passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 157 was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 158:

A bill to be entitled An Act providing for the reregistration of qualified electors to vote in Primary Elections, who, by reason of holding an official position with the Government of the United States, are required to be absent from the State during the period allowed for such reregistration and who are, therefore, not able to reregister as provided by law.

Was taken up in its order and read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Dame, Dugger, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, McKenzie, Parker, Parrish, Price, Rose, Sharit, Ward, Westbrook, Whitaker, Wilson—30.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 345:

A bill to be entitled An Act creating and establishing in certain incorporated municipalities in the State of Florida, a police civil service commission; providing for the selection of the personnel of such commissions; and providing for the rules, funds, compensations, powers and duties of such com-

missioners; providing that all vacancies in all police departments shall be filled by merit examination; providing for the grading, inspection, and regrading of all merit examination papers; providing for removal and suspension of police officers; and providing for appeals from all removals, fines, suspension, or examinations; and providing for no change in civil service in those municipalities now having civil service commissions.

Was taken up in its order and read the third time in full.

By unanimous consent Senators Beacham and Dye offered the following amendment to Senate Bill No. 345:

In Section 5, (typewritten bill) Add a new sub-section: "D. This Act shall not affect any city or town that has a population of less than 4,500 according to the last State or Federal Census."

Senator Beacham moved that the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Murphy, Parker, Parrish, Price, Rose, Savage, Walker, Ward, Westbrook, Whitaker, Wilson—31.

Nays—Mr. President—1.

So the bill passed, as amended, and was referred to the Committee on Engrossed Bills.

EXPLANATION OF VOTE

The following explanation of vote on Senate Bill No. 345 was filed with the Secretary:

I voted against Senate Bill 345 because I believe that civil service bills affecting municipalities should be local bills especially prepared to meet conditions in the particular municipality.

J. TURNER BUTLER.

SENATE BILLS ON SECOND READING

Senate Bills Nos. 104, 50 and 51 were taken up in their order and the consideration thereof was informally passed.

Senate Bill No. 211:

A bill to be entitled An Act to require all persons licensed to practice Osteopathic medicine in the State of Florida to renew annually their licenses with the State Board of Osteopathic Medical examiners: to provide for the conditions upon which renewal of licenses shall be issued and requirements prerequisite to the granting of such renewal licenses; to provide for notice to be given licensees under said Board of the provisions and requirements of this Act: to provide for the forfeiture of licenses to practice Osteopathic medicine for the failure to comply with the provisions of this Act, and to prescribe requirements for the restoration of licenses:

Was taken up in its order.

Senator Dame moved that the rules be waived and Senate Bill No. 211 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 211 was read the second time by title only and placed on the Calendar of Bills on third reading.

Senate Bill No. 222:

A bill to be entitled An Act to amend Section 5 of Chapter 15911, Laws of Florida, Acts of 1933, entitled An Act defining and regulating the practice of chiropody, providing for the examination and licensing of chiropodists, providing for exemption from this Act, creating a Board of Chiropody Examiners, providing penalties for the violation of this Act, repealing laws in conflict herewith and fixing the date upon which this Act becomes effective.

Was taken up in its order and read the second time in full and placed on the Calendar of Bills on third reading.

Senate Bill No. 252:

A bill to be entitled An Act to amend Sections 4 and 8 of Chapter 15911, Acts of 1933, Laws of Florida, entitled: "An Act defining and regulating the practice of chiropody, providing for the exemption from this Act, creating a Board of Chiropody Examiners, providing penalties for violation of this Act, repealing laws in conflict herewith and fixing the date

upon which this Act becomes effective"; and to further amend said Chapter 15911, by adding six new sections to be known and described as (12), (13), (14), (15), (16), and (17), thereof, providing for: (12) refusal to grant license; revocations. (13) Hearing of charges against accused; form of notice to accused. (14) Board's power to revoke license of chiropodist. (15) Records to be kept by secretary-treasurer of board. (16) Practicing chiropody without license, etc. (17) Effect of partial invalidity of chapter.

Was taken up in its order and read the second time in full and placed on the Calendar of Bills on third reading.

Senate Bill No. 263:

A bill to be entitled An Act to aid the prevention of blindness, to require certain duties of those in attendance at any childbirth, and to provide a penalty for the violation of this Act.

Was taken up in its order.

Senator Gillis moved that the rules be waived and Senate Bill No. 263 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 263 was read the second time by title only.

Senator Gillis moved that the rules be further waived and Senate Bill No. 263 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 263 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Murphy, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—33.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 177:

A bill to be entitled An Act to amend Section 2213 of the Revised General Statutes of Florida, providing for examination fee: annual registration fee: registration report of the Board of Pharmacy.

Was taken up in its order.

Senator Dame moved that the rules be waived and Senate Bill No. 177 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 177 was read the second time by title only.

Senator Dame offered the following amendment to Senate Bill No. 177:

In Section 1, line 14, (typewritten bill) strike out the words: Registered, and insert in lieu thereof the following: Registration.

Senator Dame moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

And Senate Bill No. 177, as amended, was referred to the Committee on Engrossed Bills.

Senator Wilson moved that Senate Bills Nos. 137, 136, 62 and 445 be made a Special and Continuing Order of Business for consideration by the Senate, in the order mentioned, at 3:00 o'clock P. M., Tuesday, May 9, 1939.

Which was agreed to and it was so ordered.

Senate Bill No. 299:

A bill to be entitled An Act prescribing the method by which labor unions or labor bodies may be incorporated or allowed to do business within the State of Florida; bestowing upon Circuit Courts of this State jurisdiction to issue such certificates of incorporation or charters; and providing for the right of intervention by any person or persons to oppose the issuance of such charters or certificates of incorporation.

Was taken up in its order.

Senator Gillis moved that the rules be waived and Senate Bill No. 229 be read the second time by title only.

Which was agreed to by a two-thirds vote.

Senator Gillis moved that the rules be further waived and Senate Bill No. 229 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 229 was read the third time in full.

Pending roll call on the passage of Senate Bill No. 299, Senator Whitaker moved that the rules be waived and the further consideration thereof be informally passed.

Which was agreed to by a two thirds vote and it was so ordered.

Senator Sharit moved that a committee be appointed to escort Mrs. Doyle E. Carlton, wife of former Governor Doyle E. Carlton, and Mrs. David Elmer Ward, daughter of former Governor and Mrs. Doyle E. Carlton and wife of Senator Ward, to a seat on the rostrum.

And Senate Bill No. 229 was read the second time by title only.

Which was agreed to.

And the President appointed Senators Sharit, Hinely and Ward as the committee.

Senator Whitaker moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 162, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 162:

A bill to be entitled An Act for the relief of A. H. Murphy and Mrs. A. H. Murphy.

Was taken up.

Senator Ward moved moved that the rules be waived and Senate Bill No. 162 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 162 was read the second time by title only.

Senator Ward offered the following amendment to Senate Bill No. 162:

In Section 1, line 1, and Section 2, line 4 (typewritten bill), strike out the words: Ten thousand dollars (\$10,000.00) wherever they appear and insert in lieu thereof the following: Twenty-five hundred (2,500.00)

Senator Ward moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Pensions and Claims offered the following amendment to Senate Bill No. 162:

In Section 1, line 1 (typewritten bill) strike out the words and figures "ten thousand dollars (\$10,000)" and insert in lieu thereof the following: "five thousand dollars (\$5,000)."

By unanimous consent, Senator Coulter, Chairman of the Committee on Pensions and Claims, withdrew the foregoing amendment.

The Committee on Pensions and Claims also offered the following amendment to Senate Bill No. 162:

In Section 2, lines 3 and 4, strike out the words and figures "Ten Thousand Dollars (\$10,000)" and insert in lieu thereof the following: "Five Thousand Dollars (\$5,000)."

By unanimous consent, Senator Coulter, Chairman of the Committee on Pensions and Claims, withdrew the foregoing amendment.

Senator Ward moved that the rules be further waived and Senate Bill No. 162, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 162, as amended, was read the third time in full.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Coulter, Dame, Dugger, Dye, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—33.

Nays—Gillis—1.

So the bill passed, as amended, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 Session of the Florida Legislature and was referred to the Committee on Engrossed Bills.

The following pair on Senate Bill No. 162 was announced.

On Senate Bill No. 162 I am paired with Senator Black of 32nd who if present would vote Aye, and I would vote No.

S. D. CLARKE, Senator 22nd Dist.

Senate Bill No. 208:

A bill to be entitled An Act to provide alternate jurors for the trial of cases in Circuit and Criminal Courts of the State of Florida where the presiding Judge in his discretion shall deem it necessary.

Was taken up in its order.

Senator Holland moved that the rules be waived and Senate Bill No. 208 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 208 was read the second time by title only and placed on the Calendar of Bills on third reading.

Senate Bill No. 255:

A bill to be entitled An Act referring to corporations and the restoration of the corporate privileges and corporate entity of corporations dissolved by operation of law for failure to pay the Capital Stock Tax, and prescribing conditions for such restoration.

Was taken up in its order.

Senator Rose moved that the rules be waived and Senate Bill No. 255 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 255 was read the second time by title only and placed on the Calendar of Bills on third reading.

Senate Bill No. 315:

A bill to be entitled An Act to define and punish the offense of severing from the land of another any timber, tree or trees or any parcel of the realty and the taking and carrying away of same, and to provide the punishment therefor.

Was taken up in its order.

Senator Kelly (16th) moved that the rules be waived and Senate Bill No. 315 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 315 was read the second time by title only.

Senator Kelly (16th) moved that the rules be further waived and Senate Bill No. 315 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 315 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—35.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 318:

A bill to be entitled An Act to provide that cooperative fire protection upon lands in cooperation with the Florida Board of Forestry shall constitute for the owners and adverse possession of such lands under color of title or without color of title upon proof of the carrying on of said work on said lands by the owner and the Florida Board of Forestry.

Was taken up in its order.

Senator Kelly (16th) moved that the rules be waived and Senate Bill No. 318 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 318 was read the second time by title only.

Senator Kelly (16th) moved that the rules be further waived and Senate Bill No. 318 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 318 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Beacham, Beall, Clarke, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hodges, Holland, Horne, Johns, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Westbrook, Whitaker, Wilson—31.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By permission the following bills were introduced:

By Senators Horne, Beall, Adams, Lindler, Parker, Whitaker, Dugger, Gideons, Kelly (16th) and Johns—

Senate Bill No. 602:

A bill to be entitled An Act defining and classifying intangible personal property for the purpose of taxation and providing for the assessment and valuation of intangible personal property for the purpose of taxation, and for the levy and collection of taxes upon such intangible personal property and the apportionment and distribution thereof to the State, Counties and Municipalities, providing rates of taxation and providing for making returns by persons owning intangible personal property and providing for the making of certain reports by corporations transacting business in the State of Florida as to the ownership of intangible personal property in such corporations; providing the duties of the Comptroller of the State of Florida, the tax collector, tax assessor and Boards of County Commissioners in connection therewith; providing for the employment of attorneys, the institution of suits, and the allowance of reasonable attorneys' fees in connection with the enforcement of the lien of such taxes; providing that said taxes shall be a lien upon real and personal property in the county in which it is levied; and a lien under certain conditions in other counties but subordinate to certain prior liens, and giving the consent of the State to make the Comptroller of the State a party defendant to the foreclosure of such prior liens; and making it a misdemeanor for failure to comply with the provisions of this Act and providing penalties for the violation of this Act and other provisions relating to intangible personal property.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senators Wilson, Beall, Beacham, Lewis, Rose, Kelly (16th), Horne, Black and Adams—

Senate Bill No. 603:

A bill to be entitled An Act making an appropriation for a portion of the cost of constructing certain buildings and additions at the Florida State Hospital at Chattahoochee, Florida, to supplement a Federal grant of a portion of the amount necessary to construct said buildings and additions.

Which was read the first time by title only and referred to the Committee on Appropriations.

Senator Beall moved that the rules be waived and the Senate do now take up and consider Senate Bills Nos. 55 and 56, out of their order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 55:

A bill to be entitled An Act fixing the salaries of the Jus-

tices of the Supreme Court, making appropriation to pay the same, and repealing conflicting laws.

Was taken up.

Senator Beall moved that the rules be waived and Senate Bill No. 55 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 55 was read the second time by title only.

Senate Bill No. 56:

A bill to be entitled An Act fixing the salaries of Circuit Judges.

Was taken up.

Senator Beall moved that the rules be waived and Senate Bill No. 56 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 56 was read the second time by title only.

The following Joint Committee Substitute for Senate Bills Nos. 55 and 56:

Joint Committee Substitute for Senate Bills Nos. 55 and 56:

A bill to be entitled An Act fixing the salaries of Justices of the Supreme Court of Florida, and fixing the salaries of Judges of the Circuit Courts of Florida, making appropriation to pay the same and repealing conflicting laws.

Was taken up and read the first time by title only.

Senator Beall moved that the rules be waived and the Joint Committee Substitute for Senate Bills Nos. 55 and 56 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And the Joint Committee Substitute for Senate Bills Nos. 55 and 56 was read the second time by title only.

Senator Beall moved the adoption of the Joint Committee Substitute for Senate Bills Nos. 55 and 56.

Which was agreed to and the Joint Committee Substitute for Senate Bills Nos. 55 and 56 was adopted.

Senator Beall moved that the rules be waived and Joint Committee Substitute for Senate Bills Nos. 55 and 56 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Joint Committee Substitute for Senate Bills Nos. 55 and 56 was read the third time in full.

Pending roll call, Senator Sharit moved that a committee be appointed to escort Honorable Olin G. Shivers, former member of the Senate from the 25th Senatorial District, to a seat on the rostrum.

Which was agreed to.

And the President appointed Senators Sharit, Parrish and Lewis as the committee.

The question recurred on the passage of Joint Committee Substitute for Senate Bills Nos. 55 and 56.

Pending roll call, the hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 4:30 o'clock P. M. until 1:00 o'clock P. M. Thursday, April 4, 1939.